

### **REMARKS**

The present invention is a communication device, a radio telephone, and a method of activating a communications device for operation in a telecommunications network. An embodiment of the invention is illustrated in Figs. 1 and 2 and is a communication device 1 addressable with reference to identification data which identifies the communication device or a user of the communication device and includes memory locations for storing the identification data. The communications device 1 comprises a processor 5 which is responsive to a first code for controlling the storage of the identification data in the memory locations. The processor 5 is responsive to an incoming signal addressing the communication device with reference to the stored identification data to change the first code for subsequently controlling the storage of the identification data in the memory locations. In a preferred embodiment, the identification includes a Mobile Identification Number (MIN) and data indicating the service provider which has been chosen. See page 1, paragraph 3, of the original specification for a description of NAM and further, page 6, lines 4-36, through page 7, lines 1-8, of the original specification.

Claims 1-32 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims have been amended to overcome the stated grounds of rejection including providing punctuation and the addition of identifiers of the code in various claims to refer to a "first code".

The Examiner's query of what action does the processor take in response to the code is submitted to not be required for defining the invention over the prior art. The relationship of a processor being responsive to a first code sets forth a relationship of the information utilized by the processor for controlling the storage of the identification data in the memory or memory locations as recited in claims 1, 10 and 23.

The Examiner should note that with respect to the rejection of claims 30-32, the subject matter of claims 30 and 31 pertain to different embodiments which the applicant is permitted to particularly point out and distinctly claim as part of the subject matter of his invention as currently recited.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1154.43704TRN) and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald R. Stout", is written over a horizontal line.

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